

REMARKS

Reconsideration of the present application is respectfully requested in view of the following remarks. Prior to entry of this response, Claims 1-11 were pending in the application, of which Claims 1 and 11 are independent. In the Office Action dated August 31, 2006, Claims 1-11 were rejected under 35 U.S.C. § 103(a). Following this response, Claims 1-2, 4-8, and 11-23 remain in this application with Claims 3 and 9-10 being canceled without prejudice or disclaimer and new Claims 12-23 being added by this Amendment. Applicants hereby address the Examiner's rejections in turn.

I. **Interview Summary**

Applicants thank Examiner Ries for the courtesy of a telephone interview on September 19, 2006, requested by the undersigned to discuss the rejection of the current claims under 35 U.S.C. § 103. During the interview, Applicants asserted that the cited references at least do not teach or suggest the claims as amended. While the Examiner was very positive regarding the application's direction, no agreement was made regarding patentability of the claims.

II. **Rejection of the Claims Under 35 U.S.C. § 103(a)**

In the Office Action dated August 31, 2006, the Examiner rejected Claims 1-11 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Published Patent Application No. 2001/0018697 ("Kunitake") in view of Well-Formed HTML ("Harold"). Claims 1 and 11 have been amended, and Applicants respectfully submit that the amendments overcome this rejection and add no new matter.

Amended Claim 1 is patentably distinguishable over the cited art for at least the reason that it recites, for example, “merging the matching and difference blocks so that all markup language tags contained in the merged document are well formed by: copying, for each matching block, text from one of the following: the source document and the destination document, in the matching block into the merged document, copying, for each difference block, the text from one of the following: the source document and the destination document, in the difference block into the merged document if the difference block respectively contains text only from one of the following: the source document and the destination document, and copying, for each difference block, the text from the source document and the destination document in the difference block into the merged document if the difference block contains text from both the source document and the destination document wherein the text from the source document is copied to a first section of the merged document and the text from the destination document is copied to a second section of the merged document .”

Amended Claim 11 is patentably distinguishable over the cited art for at least the reason that it recites, for example, “merging the matching and difference blocks so that all markup language tags contained in the merged document are well formed by interleaving text from the source document and the destination document into the merged document.” Support for this amendment can be found in the specification at least on page 16, lines 20 through 28.

In contrast, and as stated by the Examiner, *Kunitake* at least does not teach or suggest that the merged document mark-up language tags are well-formed, which includes merging the blocks such that no overlapping tags are present in the merged

document. (See Final Office Action, page 4, lines 3-5.) Consequently, *Kunitake* at least does not teach or suggest merging matching and difference blocks so that all markup language tags contained in the merged document are well formed as recited in amended Claim 1.

Furthermore, *Harold* does not overcome *Kunitake*'s deficiencies. *Harold* merely discloses that well-formed HTML is HTML that adheres to XML's well-formedness constraints, but only uses standard HTML tags. (See *Harold*, page 1, lines 1-4.) Like *Kunitake*, *Harold* at least does not teach or suggest merging matching and difference blocks so that all markup language tags contained in the merged document are well formed as recited in amendment Claim 1. Nor does *Harold* disclose interleaving text from the source document and the destination document into the merged document as recited in amendment Claim 11. For example, *Harold* is completely silent regarding:

- i) copying, for each matching block, text from one of the following: the source document and the destination document, in the matching block into the merged document,
- ii) copying, for each difference block, the text from one of the following: the source document and the destination document, in the difference block into the merged document if the difference block respectively contains text only from one of the following: the source document and the destination document, and
- iii) copying, for each difference block, the text from the source document and the destination document in the difference block into the merged document if the difference block contains text

from both the source document and the destination document wherein the text from the source document is copied to a first section of the merged document and the text from the destination document is copied to a second section of the merged document.

Combining *Kunitake* with *Harold* would not have led to the claimed invention because *Kunitake* and *Harold*, either individually or in combination, at least do not disclose or suggest “merging the matching and difference blocks so that all markup language tags contained in the merged document are well formed by: copying, for each matching block, text from one of the following: the source document and the destination document, in the matching block into the merged document, copying, for each difference block, the text from one of the following: the source document and the destination document, in the difference block into the merged document if the difference block respectively contains text only from one of the following: the source document and the destination document, and copying, for each difference block, the text from the source document and the destination document in the difference block into the merged document if the difference block contains text from both the source document and the destination document wherein the text from the source document is copied to a first section of the merged document and the text from the destination document is copied to a second section of the merged document,” as recited by amended Claim 1. Combining *Kunitake* with *Harold* would not have led to the claimed invention because *Kunitake* and *Harold*, either individually or in combination, at least do not disclose or suggest “merging the matching and difference blocks so that all markup language tags contained in the merged document are well formed by interleaving text from the source document and

the destination document into the merged document," as recited by amended Claim 11. Accordingly, independent Claims 1 and 11 each patentably distinguishes the present invention over the cited art, and Applicants respectfully request withdrawal of this rejection of Claims 1 and 11.

Dependent Claims 2 and 4-8 are also allowable at least for the reasons described above regarding independent Claim 1, and by virtue of their dependency upon independent Claim 1. Accordingly, Applicants respectfully request withdrawal of this rejection of dependent Claims 2 and 4-8.

III. New Claims

Claims 12-23 have been added to more distinctly define and to round out the protection for the invention to which Applicants are entitled. Applicants respectfully submit that these claims are allowable over the cited art and that they add no new matter.

IV. Conclusion

In view of the foregoing remarks, Applicants respectfully request the reconsideration and reexamination of this application and the timely allowance of the pending claims. The preceding arguments are based only on the arguments in the Office Action, and therefore do not address patentable aspects of the invention that were not addressed by the Examiner in the Office Action. The claims may include other elements that are not shown, taught, or suggested by the cited art. Accordingly, the preceding argument in favor of patentability is advanced without prejudice to other

bases of patentability. Furthermore, the Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Office Action.

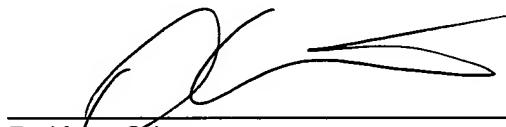
Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 13-2725.

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